

SCRUTINY PANEL A

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 10th November, 2016 at 6.30 pm

Present: Councillor Amanda Brown in the Chair;

Councillors Lee Anderson (substitute for Joanne Donnelly), Rachel Bissett, Tony Brewer, Helen Hollis, Lauren Mitchell, Paul Roberts (substitute for Glenys Maxwell) and Helen-Ann Smith.

Apologies for Absence: Councillors Ben Bradley, Joanne Donnelly and Glenys Maxwell.

Officers Present: Lynn Cain, Sam Dennis, Joanne Hall and Mike Joy.

SA.7 Declarations of Disclosable Pecuniary and Non-Disclosable Pecuniary/Other Interests

No declarations of interest were made.

(During consideration of this item, Councillors Tony Brewer and Helen-Ann Smith entered the meeting at 6.33 p.m.)

SA.8 Minutes

RESOLVED

that the minutes of the meeting of the Panel held on 13th September, 2016, be received and approved.

SA.9 Introduction to New Scrutiny Review – Cemeteries and Home-Made Kerb Side Sets

The Chairman introduced the item and advised the Panel that as part of the Scrutiny Workplan consultation, Members had approved cemeteries maintenance as a topic that would benefit from scrutiny consideration. In addition, the topic had become even more relevant following recent concerns regarding the installation of home-made kerb sets (adjoining gravestones/plots) which have become increasingly popular in recent years.

The Council's Service Lead for Waste and Environment, Sam Dennis and the Cemetery Development Officer, Joanne Hall, were in attendance at the meeting to give an overview of the Council's current procedures for managing

kerb sets within the Council's cemeteries and to enlist Members views regarding options in the future for the future to ensure that the current procedures are adhered to.

The Service Lead for Waste and Environment advised Members that there had been a ban on home-made kerb sets since 2007 and this restriction was highlighted within the Cemetery Rules and Regulations booklet that was currently given out to any purchasers of burial plots.

However, over the past few years there had been a noticeable increase in the installation of home-made kerb sets within the Council's cemeteries. They mostly consisted of stone, wire or plastic fencing with chippings and a range of decorations (i.e. bell glasses, ornaments, wind chimes). The kerb sets often encroached on land beyond their allocated burial plots and caused ongoing difficulties for staff trying to maintain the cemetery grounds to an acceptable standard.

The Council currently try to enforce the regulations as follows:-

- speak sensitively to relatives/friends in person at the cemetery site and ask for the kerb set(s) to be removed within one calendar month;
- send a letter to relatives/owners of the burial plot(s) requesting removal of the kerb set(s) within one calendar month.

However, removal of the kerb sets was not currently undertaken by Council staff and they had also been advised to leave a gap around the decorations and not attempt to maintain them following previous injuries being sustained due to hidden ornaments, glass, fences and decorations becoming caught up in the machinery and the risk of future incidents.

The Cemetery Development Officer informed the Panel that the maintenance difficulties were increasing due to the prevalence of the kerb sets within the Council's cemeteries. There were risks to staff and visitors alike with uneven grass levels, hidden kerb sets and decorations (due to deterioration from relatives ceasing to tend the graves) and a lack of defined paths and walkways.

Complaints were increasing (and occasionally featuring in the press) from members of the public and burial plot owners who believed that the over decoration of some plots was encroaching on their relatives/friends' plots, making them and the overall cemetery site look messy. This issue seemed to be more prevalent within the children's areas where kerb sets had been erected but then left unvisited over a period of time resulting in deterioration and disrepair. On the opposite side, complaints were also being received from owners of the kerb sets regarding breakages to their fences and array of decorations following efforts to mow the grass around the grave sites by cemetery staff. Furthermore, as the grass cutting machinery was unable to access some areas, complaints were also being received in relation to maintenance of the cemeteries.

The presence of kerb sets was also having an impact on the running of funerals resulting in staff being unable to gain access for machinery to dig the graves and erect the necessary spoil boards thus creating a hazardous environment. In addition, the public were often left unable to stand in proximity to the grave site throughout the funeral service which was upsetting and distressing for families of the deceased.

The Panel acknowledged that the increase in kerb sets was a problem being experienced by many local authorities nationally and various incidences had highlighted the need for proactive action to be taken to endeavour to address this emerging issue.

The Service Lead for Waste and Environment reiterated the importance of establishing viable options for tackling the issue as the Council's current methods of enforcement were proving to be ineffective. Speaking sensitively to burial plot owners or relatives/friends at grave sides regarding the removal of kerb sets was resulting in many contesting the regulations, pointing out that other kerb sets still remained and returning at weekends to erect their displays whilst cemetery staff were not on duty.

At this point in the presentation, Members were shown a variety of photos and newspaper articles which represented the range of issues being experienced by the Council (and other authorities) as a result of the increase in hand-made kerb sets.

A debate ensued whereby Members and officers discussed the following:-

- the importance of dealing with any enforcement issues sensitively and compassionately whilst liaising with grieving relatives/friends;
- the possibility of including photos of kerb sets in any information packs (for the purchase of burial plots) to highlight the problems associated with deterioration of kerb sets, their encroachment onto adjacent plots and the difficulties being experienced by staff to maintain the site around them;
- the problems associated with negative newspaper/press interest should any enforcement efforts be seen as too forceful or disrespectful to grieving relatives/friends;
- the current procedures undertaken by the Council (during purchase of burial plots) and the guidance offered by funeral directors regarding the prohibited erection of home-made kerb sets on cemetery sites;
- why home-made kerb sets bring great comfort to grieving relatives/friends and how this seems to overtake any desire to comply with the Council's current restrictions regarding their assembly;
- the current complaints being received in relation to the condition of the Council's cemetery sites (grassed areas, footpaths etc.) and how the presence of home-made kerb sets is exacerbating the problem;

- the Council's responsibilities for maintenance of a plot once funeral services are over (and flowers have been removed by relatives/friends);
- a new method of installing 'rafts' (long concrete plinths) within cemetery sites; with gravestones being located onto the plinth and any ornaments displayed on the concrete gaps in-between the gravestones;
- the possibility of cemetery staff being equipped with smaller grass trimmers and gardening equipment to enable the grass to be better maintained between graves;
- the potential, or otherwise, of cemetery staff offering a service to install kerb sets thus enabling the Council to control the standard, uniformity and quality of such sets should a decision ever be taken to relax the restrictions currently contained in the Council's Cemetery Rules and Regulations booklet;
- the scale of the current problem with over 665 kerb sets currently existing within the Council's cemetery sites;
- should more robust enforcement procedures for the removal of kerb sets be commenced, to investigate the possibility of offering alternatives to relatives/friends for visiting and mourning their loved ones i.e. a memorial garden or a memorial wall with designated plaques.

At the conclusion of the debate, the Chairman thanked Sam Dennis and Joanne Hall for being in attendance at the meeting and assisting the Panel with their deliberations.

RESOLVED

that the Service Lead for Waste and Environment be requested to undertake the following in readiness for the next Panel meeting in January, 2017:-

- a) to arrange a site visit to the Sutton and Kirkby cemetery sites (late November/early December 2016) to enable Panel Members to view and understand the impact of increasing home-made kerb sets and the reducing ability for the Council to maintain the cemetery sites to an acceptable standard;
- b) an initial evaluation exercise to ascertain the potential costs for the Council providing a service to install kerb sets within cemetery sites on behalf of plot owners should a decision ever be taken to relax the restrictions currently contained in the Council's Cemetery Rules and Regulations booklet;
- c) to investigate the possibility of equipping cemetery staff with smaller grass trimmers and gardening equipment to enable the grass to be better maintained in-between graves and to provide an estimated cost for providing and maintaining this additional equipment;

- d) to consider options for receiving feedback/views from visitors (local and out of district) to the Council's cemeteries in relation to the increasing presence of home-made kerb sets and their impact, either positive or negative, on the quality of the setting as a place of mourning and remembrance of loved ones.

(During consideration of this item, Councillor Lee Anderson left the meeting at 7.08 p.m.)

The meeting closed at 7.47 pm

Chairman.